

(47 U.S.C. 154(f)(1)), Federal Election Commission (20 U.S.C. 437c(f)(1)), Federal Mine Safety Health Review Commission (30 U.S.C. 823(b)(2)), Federal Trade Commission (15 U.S.C. 42, National Mediation Board (45 U.S.C. 154 Third), Railroad Retirement Board (42 U.S.C. 231f(9)), Tennessee Valley Authority (16 U.S.C. 831b), and Securities and Exchange Commission (15 U.S.C. 78d(b)).

<sup>6</sup>Defense Nuclear Facilities Safety Board (42 U.S.C. 286(c)), Farm Credit Administration (12 U.S.C. 2245(b)), National Transportation Safety Board (49 U.S.C. 1111(e)(1)), Nuclear Regulatory Commission (42 U.S.C. 5841(a)(2)), and Surface Transportation Board (49 U.S.C. 701(a)(2)).

<sup>7</sup>Federal Energy Regulatory Commission (42 U.S.C. 7171(c)), and Occupational Safety and Health Review Commission (29 U.S.C. 661(e)).

<sup>8</sup>Consumer Product Safety Commission (15 U.S.C. 2053(g)(1)(A)).

<sup>9</sup>U.S. International Trade Commission (19 U.S.C. 1331(a)(1)).

<sup>10</sup>The chairman of the Consumer Product Safety Commission may remove the general counsel or executive director with the approval of the commission (15 U.S.C. 2053(g)(1)(B)); and the chairman of the U.S. International Trade Commission may remove the general counsel or other high official, subject to the approval of the governing body (19 U.S.C. 1331(c)(2)(A)).

Mr. FEINGOLD. Madam President, this is a whole new procedure invented, I have to assume, because some Members of Congress are, in effect, out to "get" Mr. Noble and Mr. Surina.

Oh, and by the way, there is not a single agency where the Staff Director is a political appointee or has to be reappointed by the commissioners themselves after a set term. Not one. Frankly, Madam President, the inclusion of the Staff Director in this provision in the House Appropriations bill seems to me to be a smokescreen designed to make this provision seem even-handed. What is really going on here, I believe, is that some in the Congress are trying to send a message to Mr. Noble, the General Counsel, and through him, to the Commission. Some powerful members of Congress don't like some of the cases that Mr. Noble has recommended bringing. So they want him out.

In recent years, the FEC has undertaken a number of controversial actions in an attempt to enforce the law that the Congress has written. Some of these cases have taken on powerful political figures or groups. The FEC pursued a highly publicized case against GOPAC, a group closely connected to the Speaker of the House. It has an ongoing action against the Christian Coalition alleging that that group illegally coordinated its activities with Republican candidates. And, of course, it has pursued cases and rulemaking proceedings under a more expansive definition of what constitutes express advocacy than some in this Congress believe is appropriate.

All of these actions are objectionable to people on the Republican side of the aisle. But let's remember that there is a flip side. The Commission has assessed significant fines against the 1992 Clinton campaign and the Kentucky Democratic Party. It has pursued litigation against the National Organization for Women and has pending cases against the California Democratic Party concerning its use of soft money, and the advocacy group Public Citizen, alleging that it coordinated its activities with a primary opponent of the Speaker of the House.

The bottom line, Madam President, is that the FEC is trying to do its job, even when we in Congress don't give it adequate resources to do it. And there is another crucial point about these actions. Each and every one of the cases or rulemakings I have mentioned was approved by a majority of the Commission.

Now that is significant, Madam President, because unlike most agencies, the FEC is evenly balanced with Republican and Democratic members. It was carefully designed not to allow either party to have control. So a General Counsel can't just work with one party. In order to file a case, he must get at least four votes from the Commission, including at least one from each party. Now that leads to problems sometimes, because if the Commission deadlocks, a General Counsel recommendation cannot go forward. But the bottom line is that every official action of the FEC must be bipartisan.

So what we have here, Madam President, is an effort to intimidate. The proponents of this firing want to punish the FEC's General Counsel for bringing forward recommendations to enforce the law. Even though in all of the cases I have mentioned, a bipartisan majority of the Commission has agreed with him.

I should mention one other recommendation that Mr. Noble has made that has not received a majority vote of the Commission, and so is not going forward yet. Mr. Noble has recommended that the Commission takes steps to reduce or eliminate certain kinds of soft money contributions. And we know there are some powerful Members of this body who disagree with that idea.

You know, it is really fascinating that some of the same people who are pushing this provision, trying to remove the current General Counsel say that we don't need to enact campaign finance reform, we just need to enforce current law. Well, you can't argue that we need to enforce current law and at the same time be trying to fire the chief law enforcement officer of the agency. That just doesn't make sense. If this provision goes through, and Mr. Noble is relieved of his duties at the end of the year, it may be months before a new General Counsel can be chosen that will get the bipartisan support that is required. So right after the 1998 elections, there will be no one to head up the crucially important enforcement functions of the FEC.

Madam President, we cannot let that happen. We need to let the professional staff of the FEC do its job. Surely the 3 to 3 party split on the Commission is enough to make sure that the Commission doesn't go off on a partisan vendetta. Now we need to stop the partisan vendetta that this proposal represents.

That is why I intend to offer an amendment when the FEC's appropriation bill comes to floor to make clear that the Senate does not want this House proposal to be part of the final

bill. And I will urge the President to veto this bill if it is included. I certainly hope, Madam President, that those who want to see our election laws enforced will vote with me when that amendment is offered.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CAMPBELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. CAMPBELL. I ask unanimous consent there now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business Friday, June 19, 1998, the federal debt stood at \$5,493,981,708,739.93 (Five trillion, four hundred ninety-three billion, nine hundred eighty-one million, seven hundred eight thousand, seven hundred thirty-nine dollars and ninety-three cents).

One year ago, June 19, 1997, the federal debt stood at \$5,330,019,000,000 (Five trillion, three hundred thirty billion, nineteen million).

Twenty-five years ago, June 19, 1973, the federal debt stood at \$455,362,000,000 (Four hundred fifty-five billion, three hundred sixty-two million) which reflects a debt increase of more than \$5 trillion—\$5,038,619,708,739.93 (Five trillion, thirty-eight billion, six hundred nineteen million, seven hundred eight thousand, seven hundred thirty-nine dollars and ninety-three cents) during the past 25 years.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

##### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting one nomination which was referred to the Committee of the Judiciary.

(The nomination received today is printed at the end of the Senate proceedings.)

##### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated: